



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas F. Smith et al.                      Art Unit : 1634  
Serial No. : 10/066,432                                      Examiner : Juliet C. Switzer  
Filed : January 31, 2002  
Title : DETECTION OF HERPES SIMPLEX VIRUS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the attached form PTO-1449. A copy of a communication from a foreign patent office in a counterpart application is also enclosed.

This statement is being filed before the receipt of a first Office Action on the merits.  
Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 2, 2004

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 1 of 1

|  |  |  |                                      |
|--|--|--|--------------------------------------|
| Substitute Form PTO-1449<br>(Modified)<br><br><b>Information Disclosure Statement<br/>by Applicant</b><br>(Use several sheets if necessary)<br><br>(37 CFR §1.98(b)) | U.S. Department of Commerce<br>Patent and Trademark Office | Attorney's Docket No.<br><b>07039-246001</b> | Application No.<br><b>10/066,432</b> |
|  | Applicant<br><b>Thomas F. Smith et al.</b>                 |  |                                      |
|  | Filing Date<br><b>January 31, 2002</b>                     | Group Art Unit<br><b>1634</b>                |                                      |

**U.S. Patent Documents**

| Examiner<br>Initial | Desig.<br>ID | Document<br>Number | Publication<br>Date | Patentee | Class | Subclass | Filing Date<br>If Appropriate |
|---------------------|--------------|--------------------|---------------------|----------|-------|----------|-------------------------------|
|                     | AA           |                    |                     |          |       |          |                               |
|                     | AB           |                    |                     |          |       |          |                               |

**Foreign Patent Documents or Published Foreign Patent Applications**

| Examiner<br>Initial | Desig.<br>ID | Document<br>Number | Publication<br>Date | Country or<br>Patent Office | Class | Subclass | Translation |    |
|---------------------|--------------|--------------------|---------------------|-----------------------------|-------|----------|-------------|----|
|                     |              |                    |                     |                             |       |          | Yes         | No |
|                     | AC           |                    |                     |                             |       |          |             |    |
|                     | AD           |                    |                     |                             |       |          |             |    |

**Other Documents (include Author, Title, Date, and Place of Publication)**

| Examiner<br>Initial | Desig.<br>ID | Document  |
|---------------------|--------------|---|
|                     | AE           | Bassler et al., "Use of a Fluorogenic Probe in a PCR-Based Assay for the Detection of <i>Listeria monocytogenes</i> ," <i>Applied and Environmental Microbiology</i> , 1995, 61(10):3724-3728 |
|                     | AF           |   |
|                     | AG           |   |
|                     | AH           |   |

|  |                 |
|--|-----------------|
| Examiner Signature   | Date Considered |
| EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |                 |